



United States Courts for the Ninth Circuit

# Public Information Office

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## NEWS RELEASE

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## **Court of Appeals Schedules Sitting in Boise**

SAN FRANCISCO – The Ninth Circuit Court of Appeals has scheduled a special sitting in Boise, Idaho, for the week of Nov. 4 to 8.

An appellate panel consisting of Circuit Judges Stephen Trott, Thomas Nelson and Sidney Thomas will consider 33 appeals arising out of lower court rulings in the districts of Idaho and Montana. Oral arguments will be heard in Courtroom Two of the James A. McClure Federal Building and United States Courthouse, 550 W. Fort St.

While sitting in Boise, the judges on the panel will meet with members of the Idaho State Bar Association and the Fourth District Bar Association, which is comprised of lawyers from Ada, Boise, Elmore and Valley counties. Judges Trott and Nelson maintain chambers in Boise, while Judge Thomas' chambers are located in Billings, Mont.

The panel will consider criminal matters as well as cases involving bankruptcy, civil and tax issues. A complete schedule is available online at <http://www.ca9.uscourts.gov> by accessing the link to hearing notice updates. Cases scheduled for oral arguments include:

- *United States v. Felix* in which Felipe Felix appeals his jury trial conviction and sentence for conspiracy to distribute methamphetamine and marijuana. District of origin: Idaho; case 02-30030.
- *U.S. v. Law* in which Roger Law appeals his jury trial conviction and sentence for possession with intent to distribute 50 grams or more of methamphetamine, possession with intent to distribute marijuana, and possession of a listed chemical. District of origin: Idaho; case 01-30401.

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Office of the Circuit Executive

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- *Montana Wilderness v. United States Forest Service* in which the U.S. Forest Service appeals the district court's summary judgment and order arising from an action brought by the Montana Wilderness Association, Inc., and other environmental groups. The groups allege that the Montana Wilderness Study Act requires the Forest Service to manage the selected lands, referred to as Wilderness Study Areas (WSA), and to maintain the type and amount of motorized vehicle activity that existed in those lands as of 1977, the year of the Act's passage. The association claims that the Forest Service, by engaging in maintenance work, such as installing culverts and removing boulders, breached the WSA's wilderness character in violation of Act. The district court enjoined the Forest Service from diminishing the WSA's 1977 wilderness character. District of origin: Montana; case 01-35690.
- *Madison v. Graham* in which Harvey Madison and other owners of land in Montana appeal the district court's dismissal for failure to state a claim of their action challenging the constitutionality of the Montana Stream Access Law. The law provides that all surface waters in the state capable of recreational use may be used by the public without regard to ownership of the land underlying or adjoining the waters. District of origin: Montana; case 01-35145.
- *Beckstrom v. Potlach Corporation* in which Christina Beckstrom appeals the district court's denial of her petition for \$2,800 in attorney's fees arising after Beckstrom entered into an enforceable settlement agreement for an award of \$92,000 against Potlach Corp. Beckstrom's underlying action sought redress for discrimination by Potlach in violation of her rights under the Americans with Disabilities Act, the Civil Rights Act, and the Idaho Human Rights Act arising from the terms and conditions of her unemployment because of her disability from multiple sclerosis. District of origin: Idaho; case 01-35686.

The Ninth Circuit Court of Appeals regularly hears cases in San Francisco, Pasadena and Seattle, and also travels periodically to other cities within the circuit to hold court.

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